

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

DEC 12 2008

JOHN F. CORCORAN, CLERK  
BY:   
DEPUTY CLERK

JERRY L. OLIVER,  
Plaintiff,  
v.  
CPTN. MYERS, et al.,  
Defendants.

) Civil Action No. 7:08-cv-00558  
)  
)  
)  
)  
)  
)  
By: Hon. James C. Turk  
Senior United States District Judge

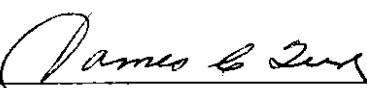
In accordance with the Memorandum Opinion entered this day, it is hereby

**ADJUDGED and ORDERED**

that this action shall be and hereby is **DISMISSED** without prejudice, pursuant to 28 U.S.C. §1915A(b)(1), plaintiff's motion for leave to proceed in forma pauperis is **DISMISSED** as moot, and the action is stricken from the active docket of the court.

The Clerk is directed to send copies of this order and the accompanying memorandum opinion to plaintiff.

ENTER: This 12<sup>th</sup> day of December, 2008.

  
\_\_\_\_\_  
Senior United States District Judge